

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Thursday, November 13, 2003 7:23 AM  
**To:** Stier, Jeffrey K - DC/WASH; Wright, Stephen J - A-7  
**Subject:** Fw: Idaho action

you guys see this?

----- Original Message -----

**From:** Ringwood, Irene

**To:** tony.j.williams@att.net ; raa@vnf.com ; gdb@vnf.com ; garybarbour@earthlink.net ; Lee.Califf@alcoa.com ; ted.case@nreca.org ; cherae.bishop@weyerhaeuser.com ; kimberlyconsulting@att.net ; f.frisk@verizon.net ; rich.glick@pacificorp.com ; rhardy@hardyenergy.com ; NutHar@aol.com ; mkanner@kannerandassoc.com ; Matthew.C.Frank@boeing.com ; michelle.marinelli@conagrafoods.com ; Morgado, Nicole ; timp@prestongates.com ; Price, Karen ; jcr@vnf.com ; dsliz@morganmeguire.com ; Nolan, Rich ; Frank, B. Jonathan ; Hayes, Bob

**Sent:** Thursday, November 13, 2003 10:07 AM

**Subject:** Idaho action

## **Enviros reserve right to sue, move forward with legal action in Columbia Basin**

**Natalie M. Henry, *Land Letter* reporter**

PORTLAND, Ore. -- Four Northwest environmental groups have rejected a request from Sen. Mike Crapo (R-Idaho) to relinquish their right to sue the federal government over water deliveries for Columbia and Snake river salmon.

Instead, the groups have filed a motion in an existing lawsuit that attempts to force the National Marine Fisheries Service and Bureau of Reclamation to analyze how dam operations and irrigation deliveries in the upper basin in Idaho affect the amount of water available for fish downstream in western Idaho, Oregon and Washington.

Crapo began a roundtable forum on water allocations after environmental groups threatened this summer to sue BuRec and NMFS over the operation of 10 dams in the upper Columbia River Basin. The groups said the biological opinion dictating operation of the dams relies on actions that are uncertain to occur, much like the lower basin opinion struck down by District Court Judge James Redden earlier this year (*Land Letter*, May 8).

Crapo asked the environmental groups to relinquish the option to sue indefinitely. In return, the groups could discuss water rights issues in a roundtable forum with farmers, tribes and the state.

Four of the five environmental groups involved in the discussions -- American Rivers, Idaho Rivers United, National Wildlife Federation and Save Our Wild Salmon coalition -- decided not to relinquish their right to sue. Only the Idaho Conservation League agreed to give up its option to seek a court resolution of the issue.

The groups that retained their right to sue said farmers, tribes and state officials are currently involved in a private, confidential water rights adjudication process within state court to determine allocations. Environmentalists, who have no claim to water rights, are excluded, yet decisions made in the adjudication process could trump many of the decisions made at Crapo's roundtable. As a result, environmentalists say giving up their legal rights would be political suicide.

"A negotiation cannot work or be fair if some of the parties involved are working to resolve some of the same key issues in a separate, confidential forum. Moving forward under such conditions would be like trying to swim across the Snake River with your hands tied behind your back," said Bill Sedivy, executive director of Idaho

Rivers United.

In a letter to Crapo, the groups said they would still like to continue the roundtable negotiations. They also promised that in any legal action, they would ask for no more than 427,000 acre-feet from upper basin water users, an amount BuRec has determined is achievable in good water years by leasing and buying water rights from willing sellers and an amount approved by the Idaho state legislature. Nevertheless, BuRec has often failed to meet that target.

Meanwhile, although the groups have not moved forward on the lawsuit they threatened to file in August in the upper Columbia River Basin, they have filed a motion in Redden's court to have more water delivered from Idaho. The groups are asking Redden to force NMFS to look at how federal dam operations in Idaho affect salmon in the lower basin, with the ultimate goal of getting the government to provide more water for salmon. River flows consistently fail to meet targets in the summer.

Currently, NMFS has two different biological opinions: one for the lower basin, for all areas accessible to salmon and steelhead; and one for the upper basin, which includes some of Montana and most of Idaho, where the impassable Hells Canyon hydropower complex on the middle Snake River has extirpated salmon. The environmental groups maintain that upper basin operations -- namely, how much water is diverted to farms and how much is sent down river -- affect lower basin species and should therefore be included in the lower basin biological opinion.

The government is not allowed to comment on pending litigation but will file a brief in court tomorrow explaining why the two should remain separate.

Crapo spokesman Lindsay Nothorn said the senator was disappointed environmentalists filed a motion in Redden's court but will continue the upper basin roundtable once Redden rules on the motion.

But with Idaho gearing up for its fourth consecutive drought, irrigators are already condemning environmentalists for using litigation to force farmers to give up their water.

"The new legal action seeks to control BuRec reservoirs in Idaho so that they can be operated to send water downstream in a misguided attempt to meet bogus flow targets," said Norm Semanko, president of the Coalition for Idaho Water. "That strategy would then permit the environmental community to attempt to force a Klamath Basin-style shutdown on the water user community in Idaho."

Save Our Wild Salmon executive director Pat Ford said environmentalists' pledge to ask for no more than 427,000 acre-feet should assuage Idaho farmers' fears that the situation will escalate into a water war. "It might be politically saleable in Idaho, but it's just not plausible for water users to call this a Klamath or to use that sort of rhetoric," Ford said.

Nothorn, Crapo's spokesman, said the senator was encouraged by the pledge, but in such a low water year, farmers were understandably worried.

BuRec determined it could get 427,000 acre-feet in a good water year, according to the agency, but the agency admits the number has no biological basis. BuRec spokeswoman Diana Cross said her agency and NMFS are trying to arrive at a scientifically defensible amount of water as they draft a new biological opinion for the upper basin. Cross said the number could be more or less than 427,000 acre-feet.

Ford said he is confident that scientists will find that fish need two to four times that number to help them navigate the four lower Snake River dams, which his group wants removed. Without the dams, he said, the fish would not need so much water. "There is nearly universal scientific agreement, and therefore agreement in our campaign, that with the lower Snake River dams in place, that amount of water (427,000 acre feet) is woefully insufficient to help salmon survive, much less restore them," Ford said.

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11/21/2003

## Smiley, Debra L - KDP-4

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Wednesday, October 22, 2003 1:58 PM  
**To:** Wright, Stephen J - A-7; Stier, Jeffrey K - DC/WASH; Minter, Rob; Loren Baker; Don Godard; 'Linda Jones'; 'Christine L. Stallard'; Roger Purdom; munro@chelanpud.org; mcauchy@popud.com; bgeddes@popud.com; dpeterson@popud.com; Craig Gannett; Adamson, Dan  
**Cc:** Liz Fortunato; Nina Collier; J Vander Stoep  
**Subject:** Energy Bill Update

New Page 2

Here's the latest on what we're hearing about the national energy bill.

Tony

### MEMORANDUM

**TO:** Energy Clients  
**FR:** Washington Advocates  
**DT:** October 22, 2003  
**RE:** Energy Bill Update

Gossip and rumors continue to surround the energy package and the hurdles that continue to delay conferees in getting a bill to the floor.

According to conferee staff, Senator Domenici and Congressman Tauzin are expected to announce a final conference meeting for next week with hopes to have the bill on the floor next Wednesday; however, there are still several remaining issues that need to be resolved including tax incentives regarding the size and treatment of the Highway Trust Fund, the Alaska pipeline, and clean coal, MTB issues, and transmission funding.

Tax incentives, according to conferee staff, are seen as the "domino" issue in what they hope will be the final days of negotiations.

If decisions are made on tax incentives, conferees feel that agreements on all other issues will fall into place.

The conference is saying that they expect tax issues to be resolved over the weekend at the latest so that the bill can go to the Rules Committee on Monday and then to the floor on Wednesday.

We're sure you've seen a lot of headlines in the past few days about the bill and its prospects.

Today alone, we saw two stories that directly contradicted each other about the bill's chances for passage.

So, we're going to keep a close eye on things and will pass along details as they emerge.

If you have any questions, feel free to give us a call at 202-234-0950.

END

-----PLEASE NOTE: UPDATED CONTACT INFORMATION-----

Tony Williams  
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2  
Advocates, LLC  
701 Pennsylvania Avenue, NW

Suite 675  
Washington, DC 20004  
Phone: (202) 234-0950  
Fax: (202) 234-3573  
Email: [tony.j.williams@att.net](mailto:tony.j.williams@att.net)

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Wednesday, October 15, 2003 1:21 PM  
**To:** Wright, Stephen J - A-7  
**Cc:** Stier, Jeffrey K - DC/WASH  
**Subject:** Snohomish County Contacts

Steve -- I'm hoping my memory and notes match up from my conversation with Eric Earling...he was one of my field guys who is from Snoho County...he is currently a political appointee at the Dept. of Education working in Seattle...and his Dad is running for Snoho County Exec...good, centrist R who has been endorsed by most of the news media, including the Seattle Times and the Everett Herald.

So, if he wins, we can put you two together.

OK, other ideas...these are all opinion leader types who need to hear what you have to say, and they might have ideas on who else you should be talking to about BPA and energy issues in the County:

Deborah Knutson, President, Snoho County Econ Dev Commission (425-743-4567)  
Gary Nelson, Chairman, Snohomish County Council (425-388-3494)  
Louise Stanton-Mastin, Pres/CEO, Everett-Area Chamber of Commerce (425-438-1487)  
Jean Hales, Pres/CEO South Snoho County Chamber of Commerce (425-774-0507)  
Linda Lanham, Boeing Machinists Union, 206-764-0306  
Allen Funk, Publisher, Everett Herald (425-339-3000)  
Jim Hills, Publisher, The Enterprise (South Snoho County suburban paper, 425-673-6500)  
Steve Hawes, Publisher, Snohomish County Biz Journal (425-339-3051)  
Commanding Officer, Everett Naval Base (we're not sure who this is)

There you go...lots of good people, and groups to talk to...they will also be able to provide you with some other ideas, but I would think you would create quite a buzz in the county if you got to all of these people and their groups.

TW

-----PLEASE NOTE: UPDATED CONTACT INFORMATION-----

Tony Williams  
Washington<sup>2</sup> Advocates, LLC  
701 Pennsylvania Avenue, NW  
Suite 675  
Washington, DC 20004  
Phone: (202) 234-0950  
Fax: (202) 234-3573  
Email: tony.j.williams@att.net

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]

**Sent:** Tuesday, October 14, 2003 3:14 PM

**To:** Roger Purdom; munro@chelanpud.org; Don Godard; 'Linda Jones'; 'Christine L. Stallard'; dpeterson@popud.com; mcauchy@popud.com; bgeddes@popud.com; Loren Baker; Wright, Stephen J - A-7; Stier, Jeffrey K - DC/WASH; Minter, Rob; J Vander Stoep; nina.collier@washington2advocates.com; Liz Fortunato; Jessica Rubie; Doug Jewett; jhume@gps-r.com; Craig Gannett; Adamson, Dan

**Subject:** Energy Bill Update

"Energy World" Friends -- Attached is our take on what might (or might not) happen this week on the energy bill from a 30,000 foot level. This report is based upon conversations we've been having with our friends around town, and on the several articles we've read from the D.C. press on the subject. I hope you find it interesting and useful.

Tony

-----PLEASE NOTE: UPDATED CONTACT INFORMATION-----

Tony Williams  
Washington<sup>2</sup> Advocates, LLC  
701 Pennsylvania Avenue, NW  
Suite 675  
Washington, DC 20004  
Phone: (202) 234-0950  
Fax: (202) 234-3573  
Email: tony.j.williams@att.net

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Thursday, September 11, 2003 10:23 AM  
**To:** Stier, Jeffrey K - DC/WASH; 'Gannett, Craig'  
**Subject:** Re: Breakfast?

how 'bout the Monocle...i'll get us a table.

TW

----- Original Message -----

**From:** Stier, Jeffrey K - DC/WASH  
**To:** 'Tony Williams' ; Stier, Jeffrey K - DC/WASH ; 'Gannett, Craig'  
**Sent:** Thursday, September 11, 2003 10:17 AM  
**Subject:** RE: Breakfast?

Let's meet at noon somewhere on the Senate side. Suggestions?

-----Original Message-----

**From:** Tony Williams [mailto:tony.j.williams@att.net]  
**Sent:** Wednesday, September 10, 2003 5:44 PM  
**To:** Stier, Jeffrey K - DC/WASH; 'Gannett, Craig'  
**Subject:** Re: Breakfast?

that sounds good...i can do that.

----- Original Message -----

**From:** Stier, Jeffrey K - DC/WASH  
**To:** 'Gannett, Craig' ; 'Tony Williams' ; Stier, Jeffrey K - DC/WASH  
**Sent:** Wednesday, September 10, 2003 3:11 PM  
**Subject:** RE: Breakfast?

Fine by me. I need to be back to the office by 1:30.

-----Original Message-----

**From:** Gannett, Craig [mailto:CraigGannett@DWT.COM]  
**Sent:** Wednesday, September 10, 2003 3:00 PM  
**To:** 'Tony Williams'; 'Stier, Jeffrey K - DC/WASH'; Gannett, Craig  
**Subject:** RE: Breakfast?

It looks like I can't do coffee either. How about lunch on Friday?

***Craig Gannett***  
***Davis Wright Tremaine***  
***2600 Century Square Building***  
***1501 4th Ave.***  
***Seattle, WA 98101***  
***Ph: (206) 628-7654***



**Fax:** (206) 628-7699

**E-mail:** craiggannett@dwt.com

-----Original Message-----

**From:** Tony Williams [mailto:tony.j.williams@att.net]

**Sent:** Wednesday, September 10, 2003 9:30 AM

**To:** Stier, Jeffrey K - DC/WASH; 'Gannett, Craig'

**Subject:** Re: Breakfast?

coffee is not going to work for me this week...sorry for that...you guys should go ahead.

Jeff -- got your message...i'm anxious to catch up with you...will call, and then maybe i can just run by your office later this week.

TW

----- Original Message -----

**From:** Stier, Jeffrey K - DC/WASH

**To:** 'Gannett, Craig' ; Stier, Jeffrey K - DC/WASH ; 'Williams, Tony'

**Sent:** Wednesday, September 10, 2003 9:06 AM

**Subject:** RE: Breakfast?

I didn't see a response from Tony -- just got back from a very nice week in Oregon. Thursday or Friday is fine with me.

-----Original Message-----

**From:** Gannett, Craig [mailto:CraigGannett@DWT.COM]

**Sent:** Thursday, September 04, 2003 1:34 PM

**To:** 'Stier, Jeff'; 'Williams, Tony'

**Subject:** Breakfast?

Guys -- I'm in town next week, Tuesday through Friday. How about breakfast one of those mornings at the usual place?

Craig

***Craig Gannett***

***Davis Wright Tremain***

***2600 Century Square Building***

***1501 4th Ave.***

***Seattle, WA 98101***

***Ph: (206) 628-7654***

***Fax: (206) 628-7699***

***E-mail: craiggannett@dwt.com***

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Wednesday, September 10, 2003 9:30 AM  
**To:** Stier, Jeffrey K - DC/WASH; 'Gannett, Craig'  
**Subject:** Re: Breakfast?

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**From:** Stier, Jeffrey K - DC/WASH  
**To:** 'Gannett, Craig'; Stier, Jeffrey K - DC/WASH; 'Williams, Tony'  
**Sent:** Wednesday, September 10, 2003 9:06 AM  
**Subject:** RE: Breakfast?

I didn't see a response from Tony -- just got back from a very nice week in Oregon. Thursday or Friday is fine with me.

-----Original Message-----

**From:** Gannett, Craig [mailto:CraigGannett@DWT.COM]  
**Sent:** Thursday, September 04, 2003 1:34 PM  
**To:** 'Stier, Jeff'; 'Williams, Tony'  
**Subject:** Breakfast?

Guys -- I'm in town next week, Tuesday through Friday. How about breakfast one of those mornings at the usual place?

Craig

***Craig Gannett***  
***Davis Wright Tremaine***  
***2600 Century Square Building***  
***1501 4th Ave.***  
***Seattle, WA 98101***  
***Ph: (206) 628-7654***  
***Fax: (206) 628-7699***  
***E-mail: craiggannett@dwt.com***

**Smiley, Debra L - KDP-4**

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**From:** Tony Williams [tony.j.williams@att.net]  
**Sent:** Wednesday, July 23, 2003 7:52 AM  
**To:** Stier, Jeffrey K - DC/WASH  
**Subject:** Fw: News-PUDs decry BPA rate increase  
**Importance:** High

Jeff -- PUD stuff sent to me by my friends at chelan.

-----Original Message-----

**From:** Sarah Driggs [mailto:sdriggs@wpuda.org]  
**Sent:** Tuesday, July 22, 2003 4:04 PM  
**To:** Media; Newport Miner  
**Subject:** News-PUDs decry BPA rate increase  
**Importance:** High

**Washington Public Utility Districts Association  
NEWS**

For immediate release: July 22, 2003

Contact:

Sarah Driggs, communications director, sdriggs@wpuda.org, 206 467-1327  
Steve Johnson, executive director, sjohnson@wpuda.org, 206 467-0148

**Public utility districts decry BPA rate increase**

SEATTLE - The Washington PUD Association today wrote a letter to Bonneville Power Administration Administrator Steve Wright, expressing deep disappointment in Wright's decision, announced July 1, to implement a three-year Safety Net Cost Recovery Adjustment Clause beginning with a 15 percent rate increase October 1, 2003.

The letter said that members of the association voted unanimously last week to urge Wright to reconsider his decision. The association represents 23 public utility districts that provide electricity to over 800,000 customers (nearly 2 million people) in Washington. As a group, the PUDs are the largest set of customers of BPA.

The letter pointed out that BPA could take a number of steps to cut costs, including reducing summer spill. The letter notes that BPA is now operating with almost 500 more employees than it had in 1999 and 2000, while distribution utilities and companies all over the region are doing more with fewer employees.

"The economic impacts of your decision to raise rates 15 percent for three years will be harsh," states the letter. "The economy is struggling and your decision will no doubt result in more layoffs on top of the more than 30,000 that have occurred

in the region in the past three years."

"Our members used to believe that BPA was created and operated for the good of the citizens of the Northwest, but your recent decisions have certainly shown a different view," states the letter, which was signed by PUD Association President Dan Peterson, an elected commissioner from Pend Oreille County PUD.

# # #